

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MIGUEL RIVERA SANTIAGO

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL NO. 97-1557 (RLA)

Crim. No. 91-397 (RLA)

**ORDER APPOINTING COUNSEL TO REPRESENT
DEFENDANT IN REMAND PROCEEDINGS**

The United States Court of Appeals for the First Circuit has remanded this 28 U.S.C. § 2255 action for further proceedings consistent with its decision in Miguel Rivera-Santiago v. United States, No. 02-2458, slip op. (1st Cir. June 25, 2004) (per curiam).

The above cited decision directs this court to more closely examine petitioner's claim that his attorney did not provide effective assistance at trial due to an alleged conflict of interest among the defense counsel who participated in the criminal proceedings.

Accordingly, in order to assist petitioner in the presentation of his 28 U.S.C. § 2255 ineffective assistance of counsel claim, RAFAEL ANGLADA LOPEZ, ESQ. is hereby APPOINTED to represent petitioner MIGUEL ANGEL RIVERA SANTIAGO in these proceedings.

IT IS FURTHER ORDERED that the Clerk of the Court shall make available free of charge to attorney ANGLADA, immediately upon his request, copies of the dockets and documents filed in Criminal case No. 91-397 (RLA) and Civil case No. 97-1557 (RLA), which are deemed relevant by counsel for his preparation.

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IT IS FURTHER ORDERED that the CLERK OF THE COURT shall prepare the pertinent CJA voucher for counsel to be remunerated for the representation of petitioner as set forth herein.

IT IS FURTHER ORDERED that Court-appointed counsel RAFAEL ANGLADA LOPEZ is hereby authorized to travel to visit MIGUEL ANGEL RIVERA SANTIAGO at petitioner's designated BOP facility, which costs and arrangements shall be coordinated through the National Travel Service (NTS), including airfare, lodging and car rental as needed for this consultation.

IT IS FURTHER ORDERED that the Clerk of the Court shall prepare the appropriate TRAVEL AUTHORIZATION FORM and any other documents necessary to expedite the processing of this request.

A Status Conference is hereby scheduled for **August 27, 2004, at 11:00 a.m.** to flesh out the issues to be examined at an evidentiary hearing to be held at a later date.

This Order shall be notified via CM/ECF to (1) RAFAEL ANGLADA LOPEZ, ESQ.; (2) AUSA JORGE VEGA-PACHECO; and via FAX and regular mail to (3) petitioner MIGUEL RIVERA-SANTIAGO at Allenwood Med FCI, RT. 15, White Deer, PA 17887 (Tel. (570) 547-7950).

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 16th day of July, 2004.

S/Raymond L. Acosta
RAYMOND L. ACOSTA
United States District Judge